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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF Delaware

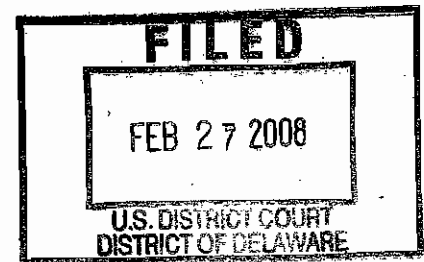
Joseph L. Bolden,  
Plaintiff,

V.

Kecia Winchester, Tasc officer  
Heather, State of Delaware  
Superior Court, and Jane Does  
Defendants

Appeal

Civil Action No. 07-756-SLR



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On 25<sup>th</sup> day of February, 2008 I am asking  
the Court to reconsider, and or open back  
up case, as relief may be granted  
pursuant to 28 U.S.C. § 1915(e)(2)(B)  
and § 1915A(b)(1).

1. I Plaintiff Joseph L. Bolden ("plaintiff"),  
an inmate at the Delaware Correctional  
Center filed this civil rights action, with  
several supplements pursuant to 42  
U.S.C. § 1983, and now looks to appeal  
the court's decision to dismiss or close  
his case.

2. Because of an additional claim that

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will be stated in this case. As noted  
in Section SIX, (6), of Document 12 Filed  
2/20/2008, must prove that the conviction  
or sentence has been reversed, expunged,  
or declared invalid.

Also, He has not alleged or proven, however,  
that his conviction, sentence, or probation  
violation finding was reversed or  
invalidated.

Hence, the claim must be dismissed. To the  
extent plaintiff seeks damages for his  
current incarceration, his claim rests on  
an "inarguable legal conclusion" and therefore,  
must be dismissed as frivolous.

3. The day I went to Court there was  
no one there who had accused me of  
anything, only a Public Defender who I  
didn't know and never met, he had  
never met me, Aug. 24, 2007. I was  
taken straight from downstairs in the  
holding cell to upstairs to the courtroom  
without knowing what I was up against.  
The whole process seems like it was rushed  
like they had ran out of time to  
sentence me.

I notice how my sentence was being  
written up even before the Judge  
asked me any questions.

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This so far really sounds like it was really reversed or invalidated, my Sentence, probation violation, and Conviction.

How could a Sentence be written out when the Judge or no one asked me if I understood it? Shouldn't I have had a right to a fair hearing, warning before I went to court, or to be asked to agree to a plea? No one asked me how do I Plead, Guilty or NOT Guilty.

The fact that they had ran out of time really stood out, as to why I was forced to take what they gave me.

For me to be sitting a level V, for the length of time that I am makes my Sentence also seem invalidated, even if I am still only here being held until a bed space is available, for Gateway.

I have been waiting since Aug. 24, 2007. 6 months, no signs of me going have been. 4. I have been left on a blank as far as me knowing what is the situation on my Sentence, which seems invalidated to me.

5. Nothing inside this jail has helped me to deal with or handle any

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of my situations, I feel if I was cut I could of at least been seeking treatment and helping pay back society, where I could have been going wrong.

The Courts way of dealing with me seemed very invalidated and reversed. They seemed to make my problem worsen if they say that I have one. One, I could have been in treatment a long while ago, if I needed treatment, to them Two, it was cruel and unusual to make me wait for four months to give me something that I have not went to.

I waited four months on PT, before going to Court Aug. 24, 2007, and when I got to Court, my sentence was read even before the Judge said anything to me. How could I understand a sentence anyway if I had no communication with the Judge?

6. I was taken in a Court of Law with no accusers in it. How can I be found guilty? This conviction is invalid. If no one was there who said I was wrong or accused me of anything I shouldn't have been found guilty. This Probation Violation Finding was reversed. A §1983 Plaintiff seeks to recover

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damages for an unconstitutional conviction, imprisonment, and other harm caused by actions whose unlawfulness would render the conviction or sentence unlawful. I do not believe it was lawful for me to be sentenced without me being asked "Do I understand or agree to the sentence."

It was not clearly asked to me if I understood the sentence Aug. 24, 2007.

7. Judge Robert B Young whom I never communicated with. I never went before this Judge on this case.

8. Conclusion. The claims listed in this document is in support of the elements listed in Section 6. of Document 12.

Joseph L. Bolden  
Plaintiff

IM Joseph L. Bolden

SBI# 245653 UNIT Sho 17

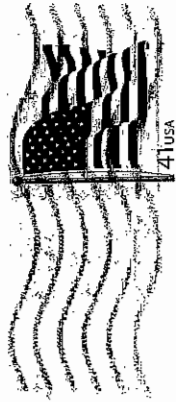
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DELAWARE CORRECTIONAL CENTER

1181 PINE ROCK ROAD

SMYRNA, DELAWARE 19977

**EX-11**



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19801-3570

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